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FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 17 2024

SEAN F. McAVOY, CLERK
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICHOLAS EARLE ESSEX,

Defendant.

2:24-CR-12-MKD

INDICTMENT

Vio.: 21 U.S.C. §§ 841(a)(1),
(b)(1)(A)(viii), 846,
Conspiracy to Distribute
50 Grams or More of
Actual (Pure)
Methamphetamine
(Count 1)

21 U.S.C. § 841(a)(1),
(b)(1)(A)(viii), 18 U.S.C.
§ 2
Distribution of 50 Grams or
More of Actual (Pure)
Methamphetamine
(Count 2)

21 U.S.C. §§ 841(a)(1),
(b)(1)(C), 18 U.S.C. § 2
Distribution of Fentanyl
(Count 3)

21 U.S.C. § 853
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

Beginning on a date unknown, but by February 2023, through January 2024, in the Eastern District of Washington and elsewhere, the Defendant, NICHOLAS EARLE ESSEX, and other individuals, both known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate, and agree with each other to commit the following offense: distribution of 50 grams or more of actual (pure) methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii), all in violation of 18 U.S.C. § 846.

COUNT 2

On or about March 22, 2023, in the Eastern District of Washington, the Defendant, NICHOLAS EARLE ESSEX, did knowingly distribute 50 grams or more of actual (pure) methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii) and 18 U.S.C. § 2.

COUNT 3

On or about July 24, 2023, in the Eastern District of Washington, the Defendant, NICHOLAS EARLE ESSEX, did knowingly distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propenamide (a/k/a fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2.

NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

The allegations set forth in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 21 U.S.C. § 853, upon conviction of an offense(s) in violation of 21 U.S.C. § 841, as set forth in this Indictment, Defendant, NICHOLAS EARLE ESSEX, shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s).

If any forfeitable property, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

1 the United States of America shall be entitled to forfeiture of substitute property
2 pursuant to 21 U.S.C. § 853(p).
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5 DATED this 17 day of January 2024.

6 A TRUE BILL
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